

IN RE: PETITION FOR VARIANCE
S/S Eudowood Lane, 150' E of
the c/l of Hillen Road
(300 Eudowood Lane)
9th Election District
4th Councilmanic District

Mt. Calvary A.M.E. Church
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-488-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 300 Eudowood Lane, located in the vicinity of Hillen Road and Towsontown Boulevard in Towson. The Petition was filed by the owner of the property, Mt. Calvary A.M.E. Church, by Reverend Anne Lightner-Fuller, and Metro Housing, who owns a portion of the property which is the subject of this request. The Petition was filed through their attorney, Newton A. Williams, Esquire. The Petitioners seek relief from Sections 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 2 feet for the existing building, rear yard setbacks of 8 feet and 47.5 feet for the proposed addition, and a side/rear setback of 2 feet for the proposed addition, all in lieu of the required 50 feet rear setback and 10 feet side setback, and minimum required interior side setback of 20 feet and corner/side street setback of 35 feet. In addition, the Petitioners seek relief from Section 409.6 of the B.C.Z.R. to permit 16 parking spaces in lieu of the required 88. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Anne Lightner-Fuller, Pastor, Newton A. Williams, Esquire, attorney for the

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Date

By

MICROFILMED

Petitioners, and several members of the Mt. Calvary A.M.E. Church, as well as numerous residents from the surrounding community. Also appearing as an interested party was Susan Gray, a resident of Towson Manor Village. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.73 acres, zoned D.R. 10.5, and is improved with a one-story building which has been the home of the Mt. Calvary A.M.E. Church for the past 106 years. On behalf of the Petitioners, Rev. Lightner-Fuller testified that Mt. Calvary A.M.E. Church has outgrown the existing building and the congregation wishes to construct a one-story addition to the existing building to provide a new sanctuary and much needed administrative office space. The existing building and proposed improvements are more particularly shown on the site plan identified as Petitioner's Exhibit 1. Due to the irregular shape of the property, and its location at the corner of Eudowood Lane and Hillen Road, the relief requested is necessary in order to proceed with the proposed improvements. A review of the site plan revealed that the proposed expansions to the Church will maintain the same setbacks established by the existing building. Furthermore, some of the variances from side/rear setback requirements are necessary for that portion of the property which abuts the property owned by Metro Housing, a joint Petitioner in this matter. Testimony revealed that Metro Housing, who owns the property immediately east of the subject site, has donated some of its land to the Church to be utilized in its expansion efforts, provided the variances requested herein are granted.

As to the parking variance, it is clear from the site plan that there is insufficient space on the property to provide 88 parking spaces. In the opinion of this Deputy Zoning Commissioner, the Petitioner has done

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Date 8/2/76
By [Signature]

an excellent job in providing 16 parking spaces on site. Testimony indicated that many of the church members live in the immediate area and walk to church, thereby eliminating the need for parking. Furthermore, the Petitioner has entered into a parking agreement with Maryland Etching, a nearby property owner, to utilize their parking lot during church activities. The Church also provides bus transportation to and from the Church.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or struc-

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Date

By

ture which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and is in strict harmony with the spirit and intent of the B.C.Z.R.

It is to be noted that the benefits the Mt. Calvary A.M.E. Church provides to the surrounding community are too numerous to mention in this Order. This much needed expansion will allow the leaders of this Church and the congregation to improve upon those benefits it offers to the residents and communities in Towson. This Zoning Commissioner's Office has personally witnessed one example of the fine individuals who are members of this Church, namely, Dynia Charles, who worked in the Zoning Commissioner's Office during the summer months of her high school vacation. It was easy to detect the positive influence that the Mt. Calvary A.M.E. Church has had upon Ms. Charles and it exemplifies the fine work the church has done in and around the community. The proposed expansion of the Church will surely be a benefit to all the residents of Towson.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of August, 1996, that the Petition for Variance seeking relief from Sections 1B01.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 2 feet for the existing building, rear yard setbacks of 8 feet and 47.5 feet for the proposed addition, and a side/rear setback of 2 feet for the proposed

ORDER RECEIVED FOR FILING

Date

By

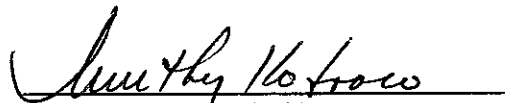
RECEIVED

addition, all in lieu of the required 50 feet rear setback and 10 feet side setback, and minimum required interior side setback of 20 feet and corner/side street setback of 35 feet, and from Section 409.6 of the B.C.Z.R. to permit 16 parking spaces in lieu of the minimum required 88, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with the recommendations made by the Office of Planning in their comments dated June 26, 1996. However, with respect to landscaping the subject property, I believe that only low-growing, ground-cover type plants should be used to screen the property along Hillen Road. This will allow the presence of the Mt. Calvary A.M.E. Church to be known to passing motorists on Hillen Road, as well as enable them to see the beautiful, new sanctuary upon its completion.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 8/2/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 2, 1996

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Eudowood Lane, 150' E of the c/l of Hillen Road
(300 Eudowood Lane)
9th Election District - 4th Councilmanic District
Mt. Calvary A.M.E. Church - Petitioner
Case No. 96-488-A

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Rev. Anne Lightner-Fuller
Mt. Calvary A.M.E. Church, 300 Eudowood Lane, Towson, Md. 21204

People's Counsel

File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

300 Eudowood Lane

96-488-A

which is presently zoned

D.R.10.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attachment A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attachment B

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

Newton A. Williams, Nolan, Plumhoff &

(Type or Print Name)

Williams

Signature

700 Court Towers, Suite 700

210 W. Pennsylvania Ave. 823-7800

Address

Phone No

Towson

MD

21204

City

State

Zipcode

Legal Owner(s)

Mt. Calvary A.M.E. Church

(Type or Print Name)

Signature

Reverend Anne Lightner - FULLER

(Type or Print Name)

Signature

300 Eudowood Lane

296-9474

Address

Phone No

Towson

MD

21204

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Newton A. Williams

Nolan, Plumhoff & Williams

Name Court Towers, Suite 700

210 W. Pennsylvania Ave.

823-7800

Address Towson, MD 21204

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

6/23-7/4

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

5-30-96

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

ATTACHMENT A

96-488-A

Section 1B01.2.C.1, 409.6

To allow a 2-foot rear setback (existing church building), 8 feet and 47.5 feet rear setbacks (new church addition) and 2 feet side/rear setbacks (new church addition) in lieu of the minimum required 20 feet interior side setback, 35-foot corner side street setback and 50-foot rear setback AND to allow 16 parking spaces in lieu of the minimum required 88.

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Date

By

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ATTACHMENT B

96-488-A

As to the parking variance, there is no more available parking on site. The Church, by restrictive covenant, enjoys the right to use adjacent parking on an industrial site. Also, there is on street parking available in the area for this historic, minority church, many of whose members walk to Church from the East Towson area.

As to the rear yard/side yard variances, this Church has been on its present, odd-shaped parcel for over 100 years. The Church badly needs additional space for worship and office use.

The present building is within two (2) feet of its boundary. In order to build the new wings, there is insufficient room to provide either 50 foot rear yards or 10 foot side yards.

There is no adjacent, vacant land available for Church expansion or parking expansion.

Having been in this location for over 100 years, and wishing to better serve its nearby East Towson congregation, there is no other available, open site, and the Church does not want to move away from its congregation.

For all of these reasons, the Church site is unique both from an historic and site configuration standpoint, and it will suffer practical difficulty and unreasonanble hardship if required to move, or not allowed the modest expansion proposed.

478

0889D

MICROFILMED

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.
Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

478
EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

96-488-A

May 29, 1996

Zoning Description
Mt. Calvary A.M.E. Church
300 Eudowood Lane

Beginning for the same on the south side of Eudowood Lane 150', more or less, easterly from the centerline of Hillen Road, running thence along the south, east and south side of Eudowood Lane the three following courses and distances, viz: South 75 degrees 47 minutes 35 seconds East 126.00 feet, North 26 degrees 21 minutes 25 seconds East 72.56 feet, and South 80 degrees 00 minutes 19 seconds East 75.50 feet, thence leaving Eudowood Lane and running South 25 degrees 09 minutes 00 seconds West 80.13 feet, South 24 degrees 47 minutes 49 seconds West 53.34 feet, North 65 degrees 56 minutes 35 seconds West 29.81 feet, and South 24 degrees 01 minutes 57 seconds West 131.81 feet to the northeast side of Hillen Road, thence along the northeast side of Hillen Road, North 37 degrees 30 minutes 25 seconds West 194.99 feet, thence leaving said Hillen Road and running North 25 degrees 32 feet 20 seconds East 83.41 feet to the place of beginning.

Containing 0.73 Acres of land, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

MICROFILMED



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-488-A

District: 9th
Posted for: Variance Date of Posting: 6/24/96
Petitioner: M.T. Galway & M.F. Church
Location of property: 300 E. Underwood Hwy. S/S
Location of Sign: Facing property on property being zoned
Remarks: _____
Posted by: M. Galway Date of return: 6/28/96
Number of Signs: 1 Signatures

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0.16 g/ml and 0.01 g/ml

THE UNIVERSITY OF CHICAGO PRESS

Legal Owner(s):
Mt. Calvary A.M. Church

Required: 20' bear inward side setback, 35' 100' corner side street setback and 50' 100' bear

AWARDING & READING
2nd Count House

BALTIMORE COUNTY, MARYLAND
OFFICE OF INCOME - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

Item No.
478

DATE 5-30-96 ACCOUNT R-201-6150

AMOUNT \$ 285.00

RECEIVED
FROM:

MT Calvary A.M.E. Church
#020 - Commercial Variance Filing Fee - \$250.
#080 - sign & posting .. 35.00

FOR:

MICROFILMED

Total \$ 285.00
\$250.00

5-30-96
300 Evidences
RECEIVED
5-30-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

96-488-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 478 Petitioner: Mt. Calvary A.M.E. Church.
Location: 300 Eudwood Lane.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mt. Calvary A.M.E. Church.
ADDRESS: 300 Eudwood Lane
Towson, Maryland 21286.
PHONE NUMBER: 296-9474.

MICROFILMED

TO: PUTUMENT PUBLISHING COMPANY
June 13, 1996 Issue - Jeffersonian

Please forward billing to:

Mt. Calvary A.M.E. Church
300 Endowood Lane
Towson, MD 21204
296-9474

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-488-A (Item 478)
300 Endowood Lane
S/S Endowood Lane, 150' E of c/l Hillen Road
9th Election District - 4th Councilmanic
Legal Owner(s): Mt. Calvary A.M.E. Church

Variance to allow a 2-foot rear setback (existing church building), 8 feet and 47.5 feet rear setbacks (new church addition), and 2 feet side/rear setbacks (new church addition) in lieu of the minimum required 20 feet interior side setback, 35 foot corner side street setback and 50 foot rear setback; and to allow 16 parking spaces in lieu of the minimum required 88.

HEARING: MONDAY, JULY 8, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 10, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

OR

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-488-A (Item 478)
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HEARING: MONDAY, JULY 8, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Mt. Calvary A.M.E. Church
Newton A. Williams, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECEIVED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 3, 1996

Newton A. Williams, Esquire
Nolan, Plunhoffs & Williams
700 Court Towers, Suite 700
210 W. Pennsylvania Avenue

RE: Item No.: 478
Case No.: 96-488-A
Petitioner: Mt. Calvary A.M.E.

Dear Mr. Williams:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 30, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

6-7-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 478 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 06/11/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: MT. CALVARY A.M.E. CHURCH

Location: S/S EUDWOOD LA. 150' E OF CENTERLINE HILLEN RD. (300 EUDWOOD LA)

Item No.: 478

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

14886

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: JUNE 17, 1996

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: JUNE 10, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 471 481
472
473
475
477
478
479
480

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 17, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 17, 1996
Item No. 478

The Development Plans Review Division has reviewed the subject zoning item. The entire site, existing and proposed, is subject to the Baltimore County Landscape Manual. Special emphasis will be placed on the residential buffers and streetscapes for Hillen Road and Eudowood Lane. A proposal delineating a buffer against the existing multi-family housing should be submitted now. A Schematic Landscape Plan for the entire site must be submitted at the Concept Plan stage.

RWB:HJO:jrb

cc: File

ZONE13F

ENCLOSURE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

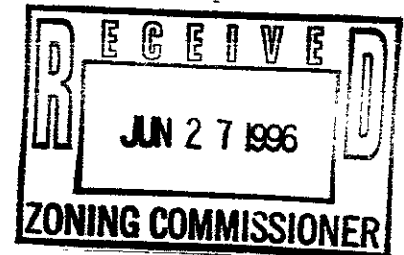
*Jim's
case
7/8*

TO: Arnold Jablon, Director, PDM

DATE: June 26, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 300 Eudowood Lane



INFORMATION:

Item Number: 478

Petitioner: Mt. Calvary A.M.E. Church

Property Size: _____

Zoning: DR 10.5

Requested Action: _____

Hearing Date: 7/8/96

SUMMARY OF RECOMMENDATIONS:

This petition for building setback and parking Variance is requested in order to allow the expansion of the Mt. Calvary A.M.E. Church for a new sanctuary and administrative space. Located at 300 Eudowood Lane, near the intersection of Eudowood Lane and Hillen Road, the church is a long standing East Towson institution and an important anchor for the community. The church is across Hillen Road from The Towson Manor Village community, which is within a Community Conservation area.

The Towson Community Plan, adopted February 3, 1992, by the Baltimore County Council stated "Expansion and renovation of the Mt. Calvary A.M.E. Church is highly desirable to better serve the needs of the community." A limited exemption was granted on 9/26/95 by the D.R.C. for the church expansion. While the assembly of the original church parcel, with a parcel owned by Metro Housing has resulted in a .72 acre site, the site has an irregular configuration and the existing one story church is positioned at the extreme northeast corner of the site.

It is the opinion of this office that the property is unique and that the building setbacks pursuant to Section 1B01.2.C.1 of the B.C.Z.R. impose unreasonable standards. The church does have a practical difficulty in meeting the required 50 foot rear yard, 10 foot side yard and 25 foot front yard.

As for the parking Variance, there is a covenant agreement for shared parking on the adjoining Technographic site. It should be noted that a number of East Towson residents walk to church and a bus ministry is also provided.

MICROFILMED

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP

In summation, this office recommends granting the requested Variances subject to the following conditions:

1. A landscape plan should be submitted showing dense evergreen planting along the entire Hillen Road frontage.
2. Provide a detail for any additional free-standing signs, such as a bulletin board.
3. Provide lighting details for the parking lot; lighting should be directed away from off-site residences.
4. On-street parking should be limited to Eudowood Lane and should not block access for fire or emergency vehicles.
5. The architectural drawings prepared by Rubeling and Associates should be incorporated with the site plan. The split face CMU should be a light color, preferably off white or white.

Prepared by:

Jeffrey W. Long

Division Chief:

Erin M. Daniel

PK/DI/LJ/lw

MICROFILMED

RE: PETITION FOR VARIANCE
300 Eudowood Lane, S/S Eudowood Lane,
150' E of c/l Hillen Road
9th Election District, 4th Councilmanic
Mt. Calvary A.M.E. Church
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-488-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plumhoff & Williams, 210 W. Pennsylvania Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED



N.E.T.I.A.

**409 EAST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21286
(410) 321-1346**

June 18, 1996

Case No. 96-488 A

Mon. July 8, 1996

Mr. Lawrence E. Schmidt,
Zoning Commissioner Baltimore County
400 Washington Avenue
Towson, MD 21204

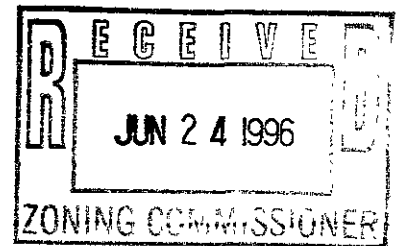
Dear Mr. Schmidt:

The North East Towson Improvement Association strongly supports the zoning variance of the Mt. Calvary A.M.E. Church.

To our 200 year old African American Community, it will be a welcome addition. It also would give our community a spiritual and positive growth.

Prayerfully submitted,

Adelaide C. Bentley
Adelaide C. Bentley



MAILED 1996

PRESIDENT - ADELAIDE BENTLEY

RUBELING & ASSOCIATES, INC.
ARCHITECTURE/INTERIOR DESIGN
401 Jefferson Avenue
TOWSON, MARYLAND 21286-5308

(410) 337-2886
Fax (410) 337-2974

LETTER OF TRANSMITTAL

DATE	7/2/96	JOB NO.	95-057
ATTENTION			
RE:	CASE #: 96-188A (ITEM 478)		
	300 EUPHONIA LANE		
	5TH ELECTION DIST.		
	4TH CONGRESSIONAL		
	OWNER: MT CALVARY		
	AME CHURCH		

TO
Zoning Commissioner of Baltimore Co.
111 W. CHESAPEAKE AVE
TOWSON, MD 21204

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via HAND DELIVERY the following items:

- ☐ Shop drawings ☒ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐

COPIES	DATE	NO.	DESCRIPTION
1			PETITIONER'S EXHIBIT 3
			PETITIONER'S EXHIBIT 4
			PETITIONER'S EXHIBIT 5

THESE ARE TRANSMITTED as checked below:

- ☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☒ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☒ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

MICROFILMED

COPY TO _____

SIGNED: _____

If enclosures are not as noted, kindly notify us at once.

RUBELING & ASSOCIATES INC.
ARCHITECTURE/INTERIOR DESIGN
401 Jefferson Avenue
TOWSON, MARYLAND 21286-5308

(410) 337-2886
Fax (410) 337-2974

TO NOLAN, PLUMHOFF WILLIAMS

LETTER OF TRANSMITTAL

DATE	<u>28 MAY 96</u>	JOB NO.	<u>95-057-C</u>
ATTENTION	<u>NEWTON WILLIAMS</u>		
RE:	<u>Mt. CALVARY A.M.E.</u> <u>CHURCH</u>		

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via DELIVERY the following items:

- ☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
<u>1</u>	<u>24 MAY</u>		<u>SITE PLAN</u>

THESE ARE TRANSMITTED as checked below:

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☐ FOR BIDS DUE _____ 19 _____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

HERE'S THE LATEST.

MICROFILMED

COPY TO _____

RECYCLED PAPER:
Contents 40% Pre-Consumer • 10% Post-Consumer

SIGNED: MITCH NELSON

If enclosures are not as noted, kindly notify us at once.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

SUSAN GRAY (TOWSON MANOR VILLAGE)	334 RIDGE AVE. 21286
Veola Jackson	5924 Northwood Dr. 21212

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

96-488-A

NAME

ADDRESS

Newton A. Williams, Esq.	700 Court Towers
Ann Lightner-Fuller Pastor	390 Eudwood Lane 21286
Dred Viner	14 Wenden
Valerie J. Britton	8351 Morven Rd. Parkville, Md 21234
Doris J. Jackson	P.O. Box 374 Sparks Md 21152
Ursula Glade	1013 Beaumont Ave. Balt. Md. 21212
Rhonda L. Deas	2413 Fleetwood Ave Balt 21214
Ethel Garrett	7724 Greenview Terr. Apt 323 Towson 21204
Dorothy Smith	1657 E. Belvedere Ave Apt 206 Balt, Md 21239
Viola Jackson	305 Leroy Ave. Truett, Md. 21204
Jack W. Coffey	5724 Northwood Dr. 21212
AL PIERSON	401 Jackson, Towson, MD
	" "

MICROFILMED



N.E.T.I.A.

**409 EAST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21286
(410) 321-1346**

June 18, 1996

Mr. Lawrence E. Schmidt,
Zoning Commissioner Baltimore County
400 Washington Avenue
Towson, MD 21204

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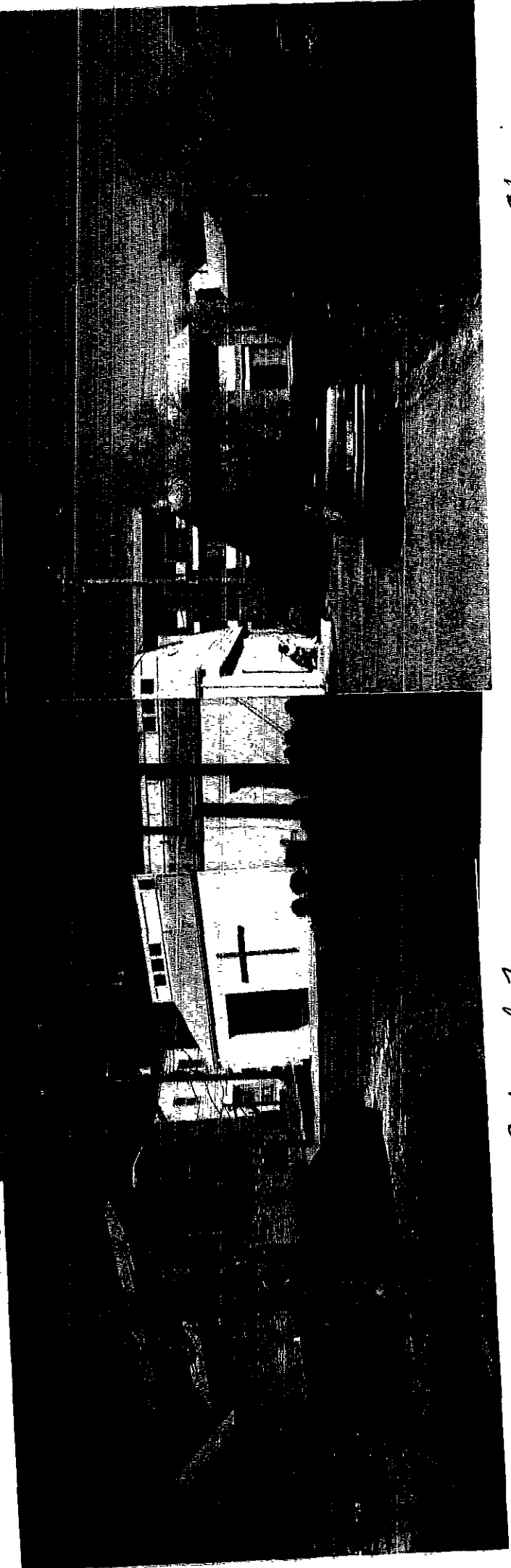
Prayerfully submitted,

Adelaide C. Bentley
Adelaide C. Bentley

**PETITIONER'S
EXHIBIT 7**

MICROFILMED

PRESIDENT - ADELAIDE BENTLEY



A. Looking East from Endwood Lane.
Maryland Etching Company
on left to North

Case No. 96-488-A
Mt. Calvary A. M. E. Church.

Metro Housing
on right to the East.

PETITIONER'S
EXHIBIT 2A

NOT RECORDED

B. Panoramic view of proposed Church location and view of new houses across Willam Rd. to Smith



2 B

NOT FILMED



*C, Looking NW from Eudowood Lane
toward B&O E Ave.*



*D, Looking East on Eudowood Lane,
Maryland Steeple and Church.*

MICROFILMED

2C



*E. Looking West on Euclid Lane
toward Hillen Road from Church
area at bend.*

MICROFILM

20



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council

Oct. 15, 1992

SCALE

1" = 200'

LOCATION

SHEET

MICROFILMED

Doc. Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

N.E.

10-A

TOWSON

IMORE COUNTY PLANNING AND ZONING L ZONING MAP

William A. Howard IV
Chairman, County Council

DATE
OF
PHOTOGRAPHY
JANUARY
1988

96-488-A